

Supreme Court of Kentucky


ORDER

**IN RE: ORDER APPROVING THE RULES OF COURT PRACTICE AND
PROCEDURE FOR THE 27TH JUDICIAL CIRCUIT, FAMILY
COURT DIVISION, KNOX AND LAUREL COUNTIES**

Upon recommendation of the Judges of the 27th Judicial Circuit, Knox and Laurel counties, and being otherwise sufficiently advised,

The Rules of Court Practice and Procedure for the 27th Judicial Circuit, Family Court Division, Knox and Laurel counties, are hereby approved. This order shall be effective as of the date of this Order, and shall remain in effect until further orders of this court.

Entered this the 12th day of June 2012.


CHIEF JUSTICE JOHN D. MINTON, JR.

COMMONWEALTH OF KENTUCKY
27TH JUDICIAL CIRCUIT
KNOX AND LAUREL CIRCUIT COURT
FAMILY COURT DIVISION

LOCAL RULES OF THE KNOX AND LAUREL FAMILY COURT

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Rule 1. Introduction / Administrative Procedure

101. Introduction/Preface

These are the Rules of Practice of the Family Court for the 27th Judicial Circuit. These rules supplement the Kentucky Family Court Rules of Procedure and Practice (FCRPP), Kentucky Rules of Civil Procedure, the Kentucky Rules of Criminal Procedure and the Local Rules of Knox and Laurel Circuit Courts. However, if these rules conflict with any statute or other law of the United States or the Commonwealth of Kentucky, rule and/or Order of the Supreme Court, Commonwealth of Kentucky, at any time legally adopted; any such statute, law, rule or order shall at all times prevail. If these rules conflict with any other rules promulgated by the 27th Judicial Circuit concerning those matters now falling within the jurisdiction of the Family Court then these rules shall prevail concerning practice in the Family Court.

102. Effective date

The effective date of these rules shall be thirty days after Kentucky Supreme Court approval.

103. Citation

These rules shall be cited as "RKLFC" or Rules of the Knox and Laurel Family Court.

104. Assignment of Cases

There are no local rules regarding assignment of cases.

105. Holidays

Changes in the schedule because of holidays will be listed on the court's calendar. See Rule 204 Court Calendar.

Rule 2. Court Scheduling / Motion Hour / Procedures for Filing

201. Regular Motion Hour Schedule

A. Adoption / Termination of Parental Rights

Adoption and Termination of Parental Rights cases shall be heard as follows:

Knox:

The 3rd Friday of each month at 10:30 a.m.

Laurel:

The 2nd Monday of each month at 11:00 a.m.

B. Dependency, Neglect and Abuse

Dependency, neglect and abuse cases shall be heard as follows:

Knox:

Every other Wednesday at 10:00 a.m.

Laurel:

Every Thursday at 10:00 a.m.

C. Domestic Relations Cases

Motions shall be heard as follows:

Knox:

The 2nd and 4th Friday of each month at 10:30 a.m.

Laurel:

The 1st and 4th Monday of each month at 11:00 a.m.

Contested matters will not be heard on motion day and shall be scheduled for a separate hearing day by the Court, except uncontested matters may be heard if the court has available time on said day. Generally, contested matters will be set by the Court for hearings in Laurel County on Tuesdays at 9:00 a.m. and in Knox County on every other Wednesday at 9:00 a.m.

D. Domestic Violence Cases

Domestic violence cases shall be heard as follows:

Knox:

Every Friday at 9:00 a.m.

Laurel:

Every Monday at 9:00 a.m.

E. Paternity and Child Support Cases

Motions in paternity and child support cases filed by the County Attorney's Office shall be heard as follows:

Knox:

The 2nd or 3rd Wednesday of each month at 1:00 p.m.
(Check Court's Calendar)

Laurel:

Every other Monday of each month at 1:00 p.m.
(Check Court's Calendar)

F. Truancy and Other Status Offenses

Truancy cases shall be heard as follows:

Knox:

Every other Wednesday at 9:00 a.m.

Laurel:

Every Thursday at 9:00 a.m.

G. Contempt motions shall be filed and served as all other non-emergency motions.

202. Exceptions to Regular Motion Hour Schedule

Exceptions to the regular motion hour schedule will be listed on the court's calendar. See Rule 204, Court Calendar.

203. Deadlines for Serving and Filing Motions

KNOX:

Deadlines for serving and filing motions in Circuit (CI) cases:

Every motion to be heard shall be filed with the clerk by Tuesday at 4:00 p.m. before the motion is to be heard on Friday of the same week. All motions shall be served upon opposing counsel, and upon parties who are not represented by counsel and entitled to notice no later than five (5) days preceding the day the motion is to be heard.

LAUREL:

Deadlines for serving and filing motions in Circuit (CI) cases:

Every motion to be heard shall be filed with the clerk by Wednesday at 4:00 p.m. before the motion is to be heard on the following Monday. All motions shall be served upon opposing counsel, and upon parties who are not represented by counsel and entitled to notice no later than five (5) days preceding the day the motion is to be heard.

KNOX and LAUREL:

Deadlines for serving and filing motions in other cases:

All non-emergency motions shall be filed no later than five (5) business days preceding the appropriate day on which the motion is to be heard. All motions shall be served upon opposing counsel, and upon parties who are not represented by counsel and entitled to notice no later than five (5) days preceding the day the motion is to be heard.

All motions shall be filed and all orders shall be tendered to the clerk's office unless otherwise ordered by the Family Court Judge.

204. Court Calendars

A monthly calendar will be provided of the Family Court's schedule. The monthly calendar may be obtained by contacting the Family Court Judge's Office or on the Knox/Laurel Family Court webpage of the Kentucky Court of Justice website.

Rule 3. Adoptions / Termination of Parental Rights

Final hearings in adoption and termination of parental rights cases shall be scheduled by the court for a final hearing. Final hearings in these matters will not be heard by the court upon notice of final hearing without prior approval of the court.

Rule 4. Domestic Violence Protocol and 24 Hour Access Policy

Pursuant to KRS 403.735, and in compliance with FCRPP 13, the local Twenty-Four Hour Accessibility to Emergency Protective Orders and Local Joint Jurisdiction Domestic Violence Protocol is attached hereto as Appendix A and is incorporated herein by reference as if set out in full.

Rule 5. Paternity

There are no local rules regarding paternity cases. See FCRPP 14 and 15 for statewide uniform rules of procedure.

Rule 6. Dependency, Neglect and Abuse

There are no local rules regarding dependency, neglect and abuse cases. See FCRPP 16 through 31 for statewide uniform rules of procedure.

Rule 7. Domestic Relations Practice

701. Divorce Education Program

A. Families involved in a divorce with minor children or custody proceedings may be ordered to attend a Divorce Education Program. If ordered, a final hearing will not be held until the moving party has attended and participated in the Divorce Education Program. The Divorce Education Program for Parents will be held at least once a month in Knox and Laurel Counties. Parties with minor children may be ordered to bring their children to participate in Kids Time.

B. A fee will be paid by each party at the time of attending the Divorce Education Program for Parents; however, no fee will be payable by a party allowed to proceed in forma pauperis.

C. The schedule for the Divorce Education Program may be obtained by contacting the Family Court Judge's Office or on the Knox/Laurel Family Court webpage on the Kentucky Court of Justice website.

702. Preliminary Verified Disclosure Statement

Pursuant to FCRPP 2(3), Preliminary Verified Disclosure

Statements, AOC-238, are not required to be filed in the record. However, if not filed in the record a notice of when the statement was exchanged must be filed. Parties may agree to waive the filing or exchange of the preliminary verified disclosure statements by agreement executed by both parties. In cases of default, a motion for waiver of the filing or exchange of the disclosure statements may be filed at the convenience of the court.

Rule 8. Status Offenses

There are no local rules regarding status offenses. See FCRPP 37 through 44 for statewide uniform rules of procedure.

Rules 9. Miscellaneous

901. Mediation

A. If ordered, the parties shall engage in mediation unless the exceptions under KRS 403.036 apply. Any cost of the mediation shall be allocated as deemed just by the Court.

B. The parties shall attend mediation. If a party fails to appear at a duly noticed mediation conference without good cause the Court, upon show cause motion and hearing, may impose sanctions, which may include an award of attorney fees and other costs against the party failing to appear.

C. Confidentiality.

(1) Except as otherwise provided by this rule or ordered by the Court for good cause shown, all mediation documents and mediation communications are confidential and shall not be disclosed except for the agreement to mediate and mediation agreement. Except as to the agreement to mediate and mediation agreement, all mediation documents are not subject to disclosure through discovery or any other process, and are not admissible into evidence in any judicial or administrative proceeding.

(2) Mediation proceedings shall not be considered a public record.

(3) There is no confidentiality and no restriction on disclosure under this rule to the extent that:

- (a) All parties consent in writing to disclosure; or,
- (b) The mediation communication or mediation document gives the mediator knowledge of or

reasonable cause to suspect that a child or a spouse has been abused or a child has been neglected; or,

- (c) The mediation communications were made in furthermore of the commission of a crime or fraud or as part of a plan to commit a crime or fraud.

(4) Nothing in this rule shall be construed so as to permit an individual to obtain immunity from prosecution for criminal conduct.

D. Reporting to the Court.

(1) The mediator shall notify the Court promptly when a case is not accepted for mediation.

(2) At any time after a case has been accepted, the mediator may refer it back to the Court for good cause, which shall be in writing.

(3) If a case is settled prior to or during mediation, an attorney for one of the parties shall prepare and submit to the Court an order reflecting the fact of settlement, as in any other case, or the mediator may prepare a mediation agreement which shall be signed by the parties and filed in the record.

(4) At the conclusion of cases accepted for mediation, the mediator shall report to the Court the fact that the mediation process has ended. If the parties do not reach an agreement as to any matter as a result of mediation, the mediator shall report the lack of an agreement to the Court.

902. Timesharing Guidelines

A copy of the Knox/Laurel visitation guidelines are attached hereto as Appendix B. A copy may be obtained by contacting the Family Court Judge's Office or on the Knox/Laurel Family Court webpage on the Kentucky Court of Justice website.

903. Copy of Record of Confidential Proceedings

A copy of audio and/or video proceedings regarding any confidential proceeding shall be provided only to parties or attorneys of record upon motion and hearing before the court.

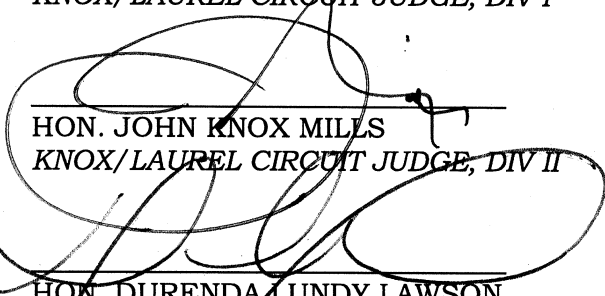
904. Protection of Personal Identifiers

All pleadings must comply with the requirements of KRS Chapters 205, 403, 405, and 407 by providing the personal identifying information required in those chapters. However, where personal identifiers are required by statute or contained in other documents or exhibits filed with the court, parties shall comply with CR 7.03(1)(b) by filing one copy from which any personal data has been redacted and filing an unredacted copy in a marked and sealed envelope. The clerk of the court shall allow the unredacted sealed copy of the pleading, document, or exhibit containing personal identifiers to be accessed only by a party to the case, an attorney of record in the case, a judge of the court or other authorized court personnel, a duly authorized employee or agent of the Cabinet for Health and Family Services involved in child support matters attendant to the case, or a person authorized to view the copy by specific orders of the court. As used in this section, "personal identifier" means a Social Security number or taxpayer identification number, date of birth, or financial account number.

Approved by:


HON. GREGORY A. LAY
KNOX/LAUREL CIRCUIT JUDGE, DIV I

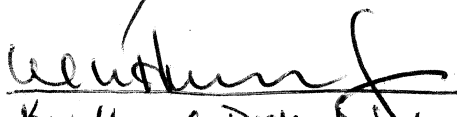
4-25-12
Date


HON. JOHN KNOX MILLS
KNOX/LAUREL CIRCUIT JUDGE, DIV II

4-26-12
Date


HON. DURENDA LUNDY LAWSON
KNOX/LAUREL CIRCUIT JUDGE, DIV III

4-24-12
Date


Knox/Laurel District Judge Div I

5-7-12

Appendix A

TWENTY-FOUR HOUR ACCESSIBILITY TO EMERGENCY PROTECTIVE ORDERS AND LOCAL JOINT JURISDICTION DOMESTIC VIOLENCE PROTOCOL 27th JUDICIAL CIRCUIT AND DISTRICT KNOX AND LAUREL COUNTIES

Pursuant to KRS 403.735, and in compliance with Family Court Rules of Procedure and Practice (FCRPP) Section IV, this local domestic violence protocol is established to ensure twenty-four hour accessibility to emergency protective orders and to establish written procedures for domestic violence matters in which there may be joint jurisdiction between the circuit/family and district courts.

I. Uniform Protocol for Processing Cases

- A. Circuit court clerks shall process domestic violence cases in accordance with the procedures set forth in the "Domestic Violence Proceedings" section of the Kentucky Circuit Court Clerk's Manual.
- B. All cases will be assigned a "D" case number w
- C. ith the appropriate trailer number within the court case management system and may not be consolidated with any other case type.
- D. Domestic violence matters may be reassigned from the district court division to circuit/family court when there is a dissolution/custody proceeding pending.
- E. No jurisdiction shall adopt a blanket "no-drop" policy. Domestic violence cases are civil matters within the purview of CR 41.01.
- F. Domestic violence cases may be reassigned or transferred to another circuit by the Family Court Judge, in his or her discretion, if a dissolution or child custody case is pending in another county. Consistent with FCRPP 12, when it is determined that the case will be transferred the summons shall be reissued pursuant to KRS 403.740(4) for a period not to exceed fourteen days if service has not been made on the adverse party by the date of transfer, or as the court determines is necessary for the protection of the petitioner. Thereafter, reissuance of the summons shall occur as needed in the court of transfer.

II. Twenty-four Hour Accessibility

- A. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **during** regular business hours:
 - Knox County Sheriff and Deputies**
 - Laurel County Sheriff and Deputies**
 - Barbourville City Police Officers**
 - Corbin City Police Officers**
 - Kentucky State Police Officers**
 - London City Police Officers**

Knox and Laurel Circuit Court Clerk and Deputies
Knox and Laurel Domestic Violence Advocates

- B. The following agencies and officers are authorized to take domestic violence petitions and administer oaths to petitioner **after** regular business hours and weekends:

Knox County Sheriff and Deputies
Laurel County Sheriff and Deputies
Barbourville City Police Officers
Corbin City Police Officers
Kentucky State Police Officers
London City Police Officers
Knox and Laurel Domestic Violence Advocates

- C. Upon receipt of a petition **during** regular business hours, the authorized agency/officer shall present the petition to the following:

The Family Court Judge shall review the petition. If the Family Court Judge cannot be located, the District Judge shall review the petition. If the Family Court Judge and the District Judge cannot be located, the Circuit Judge shall review the petition. If not judge can be located within the 27th Judicial Circuit or District, the clerk shall contact any judge in an adjacent county available to review the petition.

- D. Upon receipt of a petition **after** regular business hours, the authorized agency/officer shall present the petition to:

The person authorized to take and verify the petition shall first contact the Trial Commissioner. If the Trial Commissioner is not available, the Family Court Judge shall be contacted to review the petition. If the Trial Commissioner, the Family Court Judge and the District Judge cannot be located, the Circuit Judge shall review the petition. If no judge can be located within the 27th Judicial Circuit or District, the clerk or other person authorized to take and verify the petition shall contact any judge in an adjacent county available to review the petition.

- E. Petitions will be reviewed within an hour of presentation to a judge or trial commissioner unless it is impossible due to the unavailability of a judge or trial commissioner.

- F. The schedule for domestic violence hearings is as follows:

Knox:
Every Friday at 9:00 a.m.

Laurel:
Every Monday at 9:00 a.m

III. Contempt Proceedings

- A. Pursuant to KRS 403.760, civil and criminal proceedings for violation of a protective order for the same violation of a protective order shall be mutually exclusive.

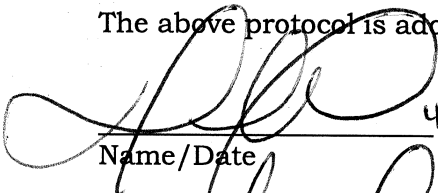
B. Petitioners seeking to initiate contempt proceedings should contact:

Knox Domestic Violence Advocate
Laurel Domestic Violence Advocate
Knox Circuit Court Clerk's Office
Laurel Circuit Court Clerk's Office
Knox County Attorney's Office
Laurel County Attorney's Office
Any local law enforcement agency

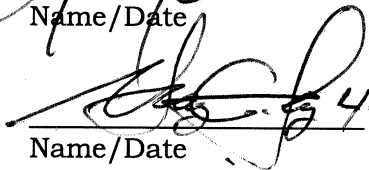
C. No petitioner may be held in contempt for failing to appear at a domestic violence hearing or to prosecute a criminal violation of a protective order.

All general orders, forms, policies and procedures relating to domestic violence within the judicial circuit are attached to this protocol and incorporated by reference.

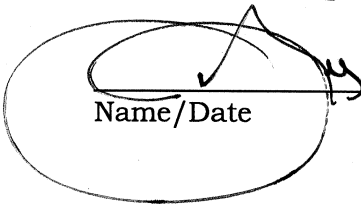
The above protocol is adopted by all judges in the circuit/district:



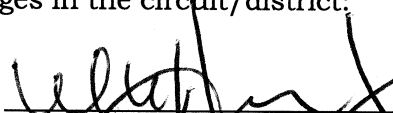
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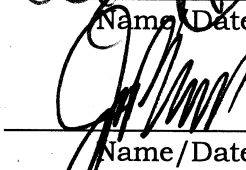
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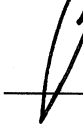
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Name/Date 6-4-12



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Appendix B

TIMESHARING / VISITATION GUIDELINES

The following schedules are suggested as **guidelines** for the parents and the court establishing time-sharing/visitation schedules. Each case will present unique facts or circumstances which shall be considered by the court in establishing a time-sharing/visitation schedule and the final schedule established by the court or agreed to by the parents may or may not be what these guidelines suggest.

EACH PARENT SHALL:

BEHAVIOR

- A. Realize that these Guidelines require both parents to put the child(ren)'s needs ahead of their own, to actually utilize the timeshare granted, and to be responsible for getting the child(ren)'s homework and other activities done during that parent's time with the child(ren).
- B. Understand that there may be circumstances from time to time with regard to work schedules and/or activities of the child(ren) which require flexibility and cooperation, and that changes in scheduling may be required.
- C. Do not send written or verbal messages to each other through the child(ren).
- D. Keep the other parent advised as to current residential address, business address, telephone numbers for home, work, cell phone, fax and pager for the purpose of notification unless otherwise ordered by the Court. Each parent shall provide to the other parent contact numbers and addresses where the child(ren) can be located during their scheduled timesharing / visitation time.
- E. Do not schedule activities for the child(ren) when the child(ren) are to be with the other parent, without first consulting with the other parent.
- F. Cooperate to ensure that the child(ren) have appropriate clothing and other personal items at both parents' residences.
- G. Do not do or say anything that will interfere with the love and affection of the child(ren) for the other parent or allow third parties to do or say anything to or in the presence of the child(ren) that will interfere with the love and affection of the child(ren) for the other parent.
- H. Do not consume alcohol, take illegal drugs or prescribed drugs, other than as prescribed, while in care of their child(ren).

TRAVEL

- A. Be responsible to pick up the child(ren) from the other parent's residence, school or daycare when assuming physical custody of the child(ren) unless otherwise ordered by the Court.
- B. Do not unreasonably object to assistance in transportation by responsible third parties.
- C. Do not turn over the child(ren) to an intoxicated individual.
- D. Ensure the child(ren) are secured in an appropriate child restraint system when transporting the child(ren).
- E. Be prompt when picking up or dropping off the child(ren). However, each parent is entitled to a thirty (30) minute grace period. After this period, the

parent shall continue with their daily activities, and the timesharing is forfeited for that period for Parent B who is late. If timesharing / visitation is missed through no fault of Parent B and reasonable notice has been given, that time should be made up if reasonable to do so. If Parent A is more than thirty (30) minutes late, Parent A shall be required to schedule an additional visitation day (from 6:00 p.m. to 6:00 p.m.) within the next thirty (30) days.

SCHOOL / HEALTH

- A. Have the right and responsibility to obtain schedule and activity information regarding the child(ren)'s school, daycare, healthcare or any other organized activity from any third party.
- B. Have the opportunity to complete and view the school information for the child(ren), including emergency contact information, and persons allowed to pick up the child(ren) from school. Both parents shall be listed on all information with the school.
- C. Keep the other parent advised as to the child(ren)'s serious illness or any other major development, whether medical, educational or otherwise.

MISCELLANEOUS

- A. Realize that these Guidelines assume that both parents reside in Knox or Laurel County or an adjacent county. These Guidelines will not address all of the appropriate terms for timesharing of parents who do not live within a reasonable proximity of one another.
- B. Realize that these Guidelines will apply **only** in cases where both parents have been involved in the child(ren)'s lives. The Guidelines would not be appropriate for cases in which the parent is a stranger to the child(ren).
- C. Realize that timesharing in accordance with these Guidelines, or timesharing of less than these Guidelines, shall not be the basis for a motion to reduce child support or deviate from the child support Guidelines.
- D. Times in this schedule are to be in the time zone where the child(ren) primary reside(s).
- E. Realize that if an Emergency Order of Protection or Domestic Violence Order is in place between the parents, these guidelines may not apply as to contact and/or communication pursuant to the terms of the Emergency Order of Protection or Domestic Violence Order.

General Guidelines for Child(ren) of All Ages

- 1. Both parties shall be permitted reasonable telephone visitation with their child(ren) every day.
- 2. The regular weekend visitation schedule shall not change and all holiday, birthday, spring, summer, fall and winter break visitation shall supersede regular weekend visitation and regular weekday visitation on Tuesdays and Thursdays.
- 3. **Child(ren)'s Birthday.** The child shall celebrate his/her birthday in the home of Parent A, unless it falls on a visitation day for Parent B. If the child's birthday does not fall on a visitation day, an additional, non-scheduled day shall be granted so that Parent B may celebrate the child's birthday with him/her as well, from 9:00 a.m. until 7:00 p.m., if desired. This additional day shall be the first non-scheduled Saturday after the child's birthday unless otherwise agreed by the

parties.

4. **Parent's Birthday.** The child(ren) shall spend each parent's birthday with that parent, except in those years, if any, on which it is a holiday to be spent with the other parent. In the latter event, the child(ren) shall spend four (4) hours with the parent who is having a birthday, on the first day following the holiday spent with the other parent.
5. Parent A shall have all holiday and break visitation not otherwise granted to Parent B in these guidelines.

For Child(ren) Under Eighteen (18) Months

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday at 6:00 p.m. until Saturday at 6:00 p.m. or Saturday at 6:00 p.m. until Sunday at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening following Parent B's weekend visitation from 5:30 p.m. on Thursday until 8:00 a.m. the next morning and also visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until 8:00 a.m. the next morning.

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years (i.e. 2008) and Easter in odd numbered years (i.e. 2007) from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on the day prior to the holiday and end at 6:00 p.m. on the holiday.

Winter Break. In families which celebrate Christmas, the Parent B shall have the child(ren) each year from 1:00 p.m. to 7:00 p.m. on Christmas Eve and on December 26th from 10:00 a.m. through December 27th at 6:00 p.m. In families which celebrate Hanukkah, Parent B shall have one (1) overnight visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even numbered years (i.e. 2008) and Yom Kippur in odd-numbered years (i.e. 2007). In families which practice other religions, the Parents shall attempt to divide their religious holidays in a similar manner.

Thanksgiving. In odd-numbered years (i.e. 2007), Parent B shall have the child(ren) for Thanksgiving, beginning at 6:00 p.m. Thursday and ending at 6:00 p.m. Friday.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m., regardless of who would have otherwise had the child(ren).

For Child(ren) Eighteen (18) Months to Three (3) Years

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday evening at 6:00 p.m. to Sunday evening at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening following Parent B's weekend visitation from 5:30 p.m. on Thursday until the next morning at 8:00 a.m. and also visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until the next morning at 8:00 a.m.

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years (i.e. 2008) and Easter in odd numbered years (i.e. 2007) from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on Friday of the holiday weekend and end at 6:00 p.m. on the Monday of the holiday weekend.

Winter Break. In families which celebrate Christmas, Parent B shall have the child(ren) each year from 1:00 p.m. to 7:00 p.m. on Christmas Eve and from December 26th at 10:00 a.m. through December 29th at 6:00 p.m. In families which celebrate Hanukkah, Parent B shall have three (3) consecutive days of visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even-numbered years and Yom Kippur in odd-numbered years. In families which practice other religions, the Parents shall attempt to divide their religious holidays in a similar manner.

Spring Break. Parent B shall have four (4) days with the child(ren) in March or April in even-numbered years. If the child(ren) attends preschool and the preschool has a spring break, the four (4) day period shall be during the time of that spring break.

Fall Break. Parent B shall have four (4) days with the child(ren) in October in odd-numbered years. If the child(ren) attends preschool and the preschool has a fall break, the four (4) day period shall be during the time of that fall break.

Thanksgiving. Parent B shall have the child(ren) for Thanksgiving, beginning at 5:00 p.m. Wednesday and ending at 7:00 p.m. Sunday in odd-numbered years.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m., regardless of who would have otherwise had the child(ren).

Summer. Parent B shall have three (3) periods each summer of four (4) days each. Each party shall give the other party at least sixty (60) days notice of his or her vacation schedule so that both parties have an opportunity to have the child(ren) during their vacations.

For Child(ren) Three (3) Years and Older

Regular Visitation. Regular visitation with Parent B shall occur on alternate weekends from Friday evening at 6:00 p.m. until Sunday evening at 6:00 p.m. In addition, Parent B shall have visitation with the child(ren) on Thursday evening following Parent B's weekend visitation from 5:30 p.m. until school the next morning or until 8:00 a.m. if there is no school that day. Parent B shall also have visitation on Tuesday evening preceding Parent B's weekend visitation from 5:30 p.m. on Tuesday until school the next morning or until 8:00 a.m. if there is no school that day.

For the Tuesday and Thursday visitation under this section, Parent B shall be responsible for making sure the child(ren) is(are) taken to school during Parent B's visitation period

Additional Holiday Parenting Time. Parent B shall have parenting time with the child(ren) on New Year's Day and July 4th in even numbered years and Easter in odd numbered years from 6:00 p.m. on the day prior to the holiday and ending 6:00 p.m. on the holiday. Parent B shall have visitation on Martin Luther King, Jr. Day and Labor Day in odd numbered years and on Memorial Day in even numbered years from 6:00 p.m. on Friday of the holiday weekend and end at 6:00 p.m. on the Monday of the holiday weekend.

Winter Break. In families which celebrate Christmas, Parent B shall have the child(ren) each year from 1:00 p.m. to 9:00 p.m. on Christmas Eve and from December 26th at 10:00 a.m. through December 31st at 6:00 p.m. In families which celebrate Hanukkah, Parent B and Parent A shall equally divide visitation during Hanukkah, as agreed between the parties thirty (30) days in advance. In families, which observe the religious holidays of Rosh Hashanah and Yom Kippur, Parent B shall have visitation for Rosh Hashanah in even-numbered years and Yom Kippur in odd-numbered years. In families which practice other religions, parents shall attempt to divide their religious holidays in a similar manner.

Spring Break. Parent B shall have nine (9) days (five (5) weekdays during which spring break is observed plus the weekend before spring break beginning Friday at 6:00 p.m. and the weekend after spring break until Sunday at 6:00 p.m.) with the child(ren) in March or April when spring break is observed by the child(ren)'s school in even-numbered years.

Fall Break. Parent B shall have nine (9) days (five (5) weekdays during which fall break is observed plus the weekend before fall break beginning Friday at 6:00 p.m. and the weekend after fall break until Sunday at 6:00 p.m.) with the child(ren) in September or October when fall break is observed by the child(ren)'s school in odd-numbered years.

Thanksgiving. Parent B shall have the child(ren) for Thanksgiving beginning at 5:00 p.m. Wednesday and ending at 7:00 p.m. Sunday in odd-numbered years.

Mother's Day/Father's Day. On Mother's Day and Father's Day, the child(ren) shall be with the appropriate parent from 9:00 a.m. to 7:00 p.m. regardless of who would have otherwise had the child(ren).

Summer. Parent B shall have two (2) periods each summer of two (2) weeks each. Parent A shall have one period each summer of two (2) weeks. Each party shall give the other party at least sixty (60) days notice of his or her vacation schedule so that both parties have an opportunity to have the child(ren) during their vacations.